

GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held at 7.00 pm on 17 September 2015

Present:

Councillor Tim Stevens J.P. (Chairman)
Councillor Diane Smith (Vice-Chairman)
Councillors Teresa Ball, Kathy Bance MBE,
Nicholas Bennett J.P., Ellie Harmer, David Livett,
Russell Mellor, Keith Onslow, Colin Smith and
Pauline Tunnickliffe

Also Present:

Councillor Simon Fawthrop

101 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Alan Collins, Stephen Wells and Michael Turner, who was replaced by Councillor Colin Smith.

102 DECLARATIONS OF INTEREST

Councillor Pauline Tunnickliffe declared an interest as a foster carer for the borough.

103 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

104 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 14th JULY 2015

RESOLVED that the minutes of the meeting held on 14th July 2015 be confirmed.

105 AUDIT OF FINANCIAL STATEMENTS 2014/15 Report FSD15048

The Committee received the Council's statutory accounts for 2014/15 for approval in accordance with the requirements of the Accounts and Audit (England) Regulations 2011. The report also covered the conclusions and significant issues arising from the work carried out in relation to the audit of the 2014/15 accounts.

Katy Elstrup of PricewaterhouseCoopers LLP (PWC), the Council's external auditors, attended the meeting to respond to questions from Members. She confirmed that there were no unadjusted items and no significant issues with the accounts. With regard to the objection to the 2012/13 accounts regarding the Council's parking enforcement contract, PWC had now issued a preliminary response and the objector had fourteen days to respond. With regard to the other objections regarding bailiff fees and London Councils, PWC expected to be in a position to issue a response shortly.

Asked about the substantial medium term funding gap facing the Council in the next few years, Ms Elstrup responded that while there was concern about the position, PWC were comfortable that measures were being considered to manage the gap.

Committee Members also commented on the need to ensure that assets held for sale were actively marketed and sold, and Ms Elstrup confirmed that, based on the work they had undertaken, PWC were satisfied with the categorisation of these assets. With regard to the control recommendation that the Council should use a separate Pension Fund bank account, members acknowledged that the same point had been raised as part of the previous year's audit and supported officers' view that this would not be cost effective.

Members commented on the lists of related parties and suggested that officers consider whether Mytime Active should be included. (Note: The Auditors subsequently confirmed that appointments to Mytime Active did not need to be disclosed, nor did a number of other Council appointees, so these had been removed from the document.)

The Committee noted that this was PWC's last year as the Council's external auditors and they recorded their thanks and appreciation for their work.

RESOLVED that

- (1) The Council's statutory accounts for 2014/15 be approved.**
- (2) In accordance with the requirements of the Accounts and Audit (England) Regulations 2011, the Chairman of this Committee shall sign and date the statutory statements as a formal record of this Committee's approval.**
- (3) The external auditor's report be received and noted.**
- (4) The Committee confirms agreement with the auditors' conclusion on their independence and objectivity.**
- (5) The Chairman of this Committee be authorised to sign the letter of representation for 2014/15 on behalf of the Council.**
- (6) The Annual Governance Statement which accompanies the statutory statement of accounts be approved.**

106 CAR ALLOWANCE
Report DHR15007

Following extensive consultation with staff and trades unions, and as part of addressing the unprecedented budget pressures faced by the Council, the Committee had agreed proposals on 26th March 2015 to move from a two-tier to a flat rate car allowance arrangement for all authorised car users. This would result in a saving of £300k per annum and bring the Council into line with HMRC recommendations.

The new arrangements applied to new recruits starting after 1st April 2015, and further consultation had been carried out with existing staff. It was now proposed to implement phasing arrangements covering 380 essential car users and 570 casual car users.

RESOLVED that the report be noted and

(1) It is noted that the single flat rate of 45 pence per mile (with no additional annual lump sum as under the old two tier payment system) has had no adverse impact on the Council's ability to compete in the labour markets for new staff.

(2) As far as staff employed by the Council before 1st April 2015 are concerned, it is agreed that they be reimbursed for the use of their car for legitimate business purposes through the phasing arrangements/details set out in paragraph 3.8 of the report.

**107 LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY
FOR 2016 TO 2021**
Report ES15068

At its last meeting on 14th July 2015 the Committee had approved a draft Statement of Licensing Policy (2016-2021) for public consultation. Four responses had been received from the Copers Cope Area Residents Association, the Babbacombe Road Residents Association, the Bromley Safeguarding Children Board and the Duke of Kent Court Bowls Club. In the light of the responses received a final version of the Statement was attached as Appendix 2 to the report.

RESOLVED that the responses to public consultation be noted and Council be recommended to adopt the Statement of Licensing Policy under the Licensing Act 2003 to have effect from 7th January 2016.

**108 GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY
2016 - 2019**
Report ES15069

At its meeting on 14th July 2015 the Committee had approved a draft Statement of Gambling Policy for 2016/19 for public consultation. Four responses had been

received, from the Copers Cope Area Residents Association, Bromley Safeguarding Children Board, the association of British Bookmakers (ABB) and Power Leisure Bookmakers (Paddy Power) and these were set out in the report.

The Committee approved the Statement but sought the following amendments –

- Section A.7.1: Information from Operators and Premises License Holders: The paragraph to be amended to allow the Council to seek information from operators/premises license holders when requested rather than once a year.
- Section B.3: Location of Premises: Add a sentence on taking into account age restrictions when considering the impact on children, young or vulnerable people.
- Section B.3 Location of Premises: The paragraph on Risk Profiles being based on factual evidence should be amended to replace the word “should” with “will” and moved to the third paragraph of section B.4: Local Area Profiles.

RESOLVED that, subject to the amendments set out above, the responses to public consultation be noted and Council be recommended to adopt the Statement of Gambling Policy under the Gambling Act 2005 to have effect from 31st January 2015.

109 LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 16TH JUNE 2015

The minutes of the meeting of the Local Joint Consultative Committee meeting held on 16th June 2015 were received.

110 AUDIT SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 25TH JUNE 2015, EXCLUDING EXEMPT INFORMATION

The minutes of the Audit Sub-Committee meeting held on 25th June 2015 (excluding exempt information) were received.

The Committee noted that there had been an overpayment of £11,336 in relation to Looked After Children, and requested confirmation that this sum had been recovered.

111 INDUSTRIAL RELATIONS SUB-COMMITTEE: MINUTES OF THE MEETING HELD ON 9TH JULY 2015, EXCLUDING EXEMPT INFORMATION

The minutes of the Industrial Relations Sub-Committee meeting held on 9th July (excluding exempt information) 2015 were received.

**112 LOCAL PENSION BOARD : MINUTES OF THE MEETING HELD
ON 27TH JULY 2015**

The Committee received the minutes of the first meeting of the Local Pension Board held on 27th July 2015.

One of the Board Members, Mr Brian Toms, attended the meeting and with the agreement of the Chairman put the following question -

“At the first meeting of the Bromley Pension Board I raised the question of whether the members would be granted general indemnity against any issues related to the work of the Board.

A clear answer was not available and I should be grateful for this commitment or an explanation as to how Board members are protected.”

Officers confirmed that as Board Members were appointed by the Council, and the Board was conducting Council business, it was covered under the Council’s existing insurance arrangements.

Councillor Simon Fawthrop, who had been the chairman of the Pensions Investment Sub-Committee in 2014/15 when the Local Pensions Board had been established, drew the Committee’s attention to the Local Pensions Board Terms of Reference which stated that the Board would meet only once per annum. He was concerned that, at their introductory meeting, the Board had proposed that they meet quarterly which would increase the scope of the Board beyond that agreed by Members, and emphasised that Board Members were welcome to attend Pensions Investment Sub-Committee meetings.

Officers confirmed that no changes had been made to the Board’s terms of reference and it was intended that the Board would be asked to produce a robust work plan and reasons in support before this was given any further consideration.

Most Members of the Committee considered that the Board should continue to be restricted to one annual meeting as set out in its terms of reference, but after considerable debate it was agreed that legal advice was required and should be included in a follow up report to the next meeting.

RESOLVED that a report be made to the next meeting on the Local Pension Board’s meeting arrangements.

**113 APPEALS SUB-COMMITTEE: MINUTES OF THE MEETING
HELD ON 13TH AUGUST 2015, EXCLUDING EXEMPT
INFORMATION**

The minutes of the Appeals Sub-Committee meeting held on 13th August 2015 (excluding exempt information) were received.

114 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

115 AUDIT SUB-COMMITTEE: EXEMPT MINUTES - 25TH JUNE 2015

The exempt minutes of the Audit Sub-Committee meeting held on 25th June 2015 were received.

116 INDUSTRIAL RELATIONS SUB-COMMITTEE: EXEMPT MINUTES - 9TH JULY 2015

The exempt minutes of the Industrial Relations Sub-Committee meeting held on 9th July 2015 were received.

117 APPEALS SUB-COMMITTEE: EXEMPT MINUTES - 13TH AUGUST 2015

The exempt minutes of the Appeals Sub-Committee meeting held on 13th August 2015 were received.

The Chairman reminded Members to remain in the room after the meeting for a briefing session on the Committee's human resources responsibilities.

The Meeting ended at 7.42 pm

Chairman